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Attorney for Defendants RC2 Corporation, Learning Curve Brands, Inc., Wal-Mart Stores, Inc. and Toys "R" Us, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVID MURDOCK, Individually and as)		
Father and Next Friend of BEAU FARISH)		
MURDOCK and ANABELLE SAGE)		
MURDOCK, minor children, on behalf of)	Civil Action No. 2:07-CV-03376 (WHW-MF)	
all others similarly situated,)		
)	
Plaintiffs,)	DEFENDANTS' NOTICE OF MOTION TO	
)	DISMISS CLASS ACTION COMPLAINT
v.)		
)	
RC2 CORPORATION, LEARNING)		
CURVE BRANDS, INC., LEARNING)		
CURVE BRANDS, INC. d/b/a RC2)		
BRANDS, INC., WAL-MART STORES,)		
INC. and TOYS "R" US, INC.,)		
)	
Defendants.)		
)	

TO: Peter S. Pearlman, Esq.
 COHN LIFLAND PEARLMAN
 HERRMANN & KNOPF LLP
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Attorneys for Plaintiff

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Attorneys for Plaintiff

PLEASE TAKE NOTICE that on Monday, November 12, 2007 at 9:30 a.m., or as soon thereafter as counsel may be heard, Edwards Angell Palmer & Dodge LLP, attorneys for defendants RC2 Corporation, Learning Curve Brands, Inc., Wal-Mart Stores, Inc., and Toys "R" Us, Inc. (collectively referred to as the "Defendants"), shall move before the Hon. William H. Walls, U.S.D.J., at the United States District Court for the District of New Jersey, M.L. King Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, pursuant to Fed. R. Civ. P. 12(b)(6) and Local Civil Rule 7.1(c), for an Order dismissing the Class Action Complaint, and each cause of action therein, for failure to state a claim, and for such further and similar relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Defendants shall rely upon the Certification of Judith S. Okenfuss, Esq., with exhibits annexed thereto, and the Memorandum of Law in Support of Defendants' Motion To Dismiss Class Action Complaint, filed herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order of Dismissal is also filed herewith.

PLEASE TAKE FURTHER NOTICE that Defendants request oral argument.

Respectfully submitted,

EDWARDS ANGELL PALMER
& DODGE LLP

By: s/Dennis M. Reznick

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Learning Curve Brands, Inc., Wal-Mart
Stores, Inc., and Toys "R" Us, Inc.

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CERTIFICATION OF SERVICE

I hereby certify that on October 10, 2007, a true copy of the within Notice of Motion to Dismiss Class Action Complaint was served pursuant to the Federal Rules of Civil Procedure, and/or the District of New Jersey's Local Civil Rules and/or the District of New Jersey's ECF Policies and Procedures, and by sending same via first class mail service offered by the U.S. Postal Service, in postage paid envelopes addressed to the following counsel for the parties at the addresses indicated:

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Executed on: October 10, 2007



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